

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JON GRAY,

Plaintiff,

No. C 13-03513 WHA

v.

CITY AND COUNTY OF SAN
FRANCISCO,

Defendant.

**ORDER REVOKING
PLAINTIFF'S IN FORMA
PAUPERIS STATUS
ON APPEAL**

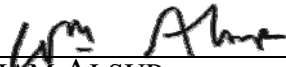
Plaintiff Jon Gray appeals the order granting defendant's motion to dismiss. On March 21, 2014, our court of appeals referred the action back to this Court to determine whether to revoke plaintiff's IFP status on appeal if frivolous. Accordingly, plaintiff was given an opportunity to explain why his appeal was meritorious. In his responsive brief, plaintiff raises yet additional grounds for federal jurisdiction based on facts that do not appear in his complaint. The gravamen of plaintiff's claim for federal jurisdiction, however, is that he believes that he will be unfairly treated in state court. Even if plaintiff is correct, federal courts are courts of limited jurisdiction and the law simply does not allow this Court to adjudicate plaintiffs' action on that basis.

1 Plaintiff's appeal is frivolous and therefore his IFP status on appeal is **HEREBY**
2 **REVOKED.** See 28 U.S.C. 1915(a)(3); *Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th
3 Cir. 2002).

4 The Clerk shall transmit a copy of this order to the Court of Appeals.

5
6 **IT IS SO ORDERED.**

7
8 Dated: April 3, 2014.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE